

1949
Pan-N. Amer. Indians.

FURTHER INFORMATION
RESPECTING
THE ABORIGINES;

CONTAINING
REPORTS OF THE COMMITTEE ON INDIAN
AFFAIRS AT PHILADELPHIA,
EXTRACTS FROM THE PROCEEDINGS OF THE YEARLY MEETINGS
OF PHILADELPHIA, NEW YORK,
NEW ENGLAND, MARYLAND VIRGINIA, AND OHIO.

TOGETHER WITH SOME PARTICULARS RELATIVE TO
THE NATIVES OF NEW ZEALAND, NEW HOLLAND, AND VAN
DIEMAN'S LAND.

PUBLISHED BY DIRECTION OF THE

ABORIGINES' COMMITTEE

OF

Smith Seas
The Meeting for Sufferings.

LONDON:

EDWARD MARSH, 84, HOUNDSDITCH.

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[Tracts relative to the Aborigines, No. 8.]

FURTHER INFORMATION

RESPECTING

THE ABORIGINES.

THE Aborigines' Committee of the Meeting for Sufferings continue to have their attention directed to the important concerns committed to their care. Since the publication of the pamphlet last issued by the society on this subject, important information has been received through various channels respecting the Aborigines in the British Colonies, and other parts of the globe; and as it is believed that much of this possesses a character that will also prove interesting to Friends generally, and that it may tend to keep their minds alive to the importance of this subject, and contribute to promote their interest and more extensive co-operation in it, the Committee are induced to publish the following pages.

The communications which the Committee have from time to time received, in reference to the Aboriginal inhabitants of those distant parts where they have happened to come in contact with the white settlers

and traders, and the details which those communications furnish of the aggravated sufferings and oppressions inflicted on the uncivilized portions of the great human family, by the cupidity and avarice of merely nominal Christians, are indeed affecting, and the Committee would express a strong desire that the members of our religious society may be concerned carefully to guard against being, either directly or indirectly, implicated in these things; and that, both in their individual and their collective capacity, they may be fully alive to the enormity of this evil, and avail themselves of such opportunities as may arise for pleading on behalf of the just rights of these deeply-injured people, or for promoting an amelioration of their condition.

Friends who receive information, bearing on the situation and condition of the native population in our colonies and elsewhere, would, we believe, be promoting the objects entrusted to this Committee, by transmitting such intelligence to it.

A new edition of 3000 copies of the Address to Emigrants to newly-settled colonies, is now in the press. The distribution of this address to individuals who may be about to emigrate is very desirable. Copies may be had on application to EDWARD MARSH, 84, Houndsditch.

NORTH AMERICA.

The interesting tribes of the native Indian population, inhabiting the vast territory of the North American continent, still continue to claim the sympathy and regard of Friends, both in that country and in this.

By the following extracts from Epistles received at our last Yearly Meeting, from some of the Yearly Meetings of Friends in America, and the Reports of the Committee on Indian affairs at Philadelphia, we are gratified to observe that their attention towards the amelioration of the condition of the Indian races continues undiminished.

Extract from the Epistle of the Yearly Meeting of New York, 1841.

The concern of this meeting relative to the Indian tribes, located west of the Mississippi, has feelingly occupied its attention, and hopes are entertained that some way will open to render them essential service; but as yet, however, our efforts have been confined to preparatory measures. The Committee charged with this very interesting subject, were encouraged to continue their exertions to promote the benevolent object in view.

Extract from the Epistle of the Yearly Meeting of New England, 1841.

We still continue to extend a care towards the Aborigines of our country, and especially to the Penobscot tribe of Indians; and feel that this interesting and injured portion of the human family have strong claims upon our benevolent and Christian feelings.

Extract from the Epistle of the Yearly Meeting of Maryland, 1841.

Our establishment among the Shawnese tribe of Indians, now west of the Mississippi, continues to afford their children an opportunity for acquiring such an education as is best adapted to their wants.

About thirty-six youths of both sexes have been in the school during the present year. The males are also instructed in agriculture, and the females in housewifery. A religious meeting is kept up, which the children attend, and frequently a few of the Indians of the settlement. Care is taken to read the Holy Scriptures in the school. Our Superintendent is of the opinion that if our buildings were enlarged, and means adequate, the number of scholars would be very soon increased to one hundred.

Extract from the Epistle of the Yearly Meeting of Virginia, 1841.

Our Meeting for Sufferings continues its care and assistance to such of the descendants of African and Indian races as are illegally held in bondage. By information received from an attorney, whom they have long retained in their service, it appears that measures are now in contemplation, if not

in actual progress, by which it is apprehended that the liberty of a very numerous class who have been restored to their rights, through the instrumentality of that meeting, will again be brought into jeopardy; the Committee to whom their case for a number of years past has been specially confided, were instructed to employ able counsel for their defence, and encouraged to bestow all the care which their case may require.

Extract from the Epistle of the Yearly Meeting of Ohio, 1841.

The account lately received from our establishment west of the Mississippi is encouraging. The school there of upwards of thirty Indian children, is progressing satisfactorily. The boys being instructed in husbandry, as well as letters; and the girls employed in domestic services, whilst gaining literary knowledge. A portion of Scripture is daily read, a meeting held, and we hope the Christian instruction of young and old will continue to engage the close attention of our friends, who are placed among them as superintendents and teachers.

Extract from the Epistle of the Yearly Meeting of Philadelphia, 1841.

Our Committee for the gradual civilization and improvement of the Indian natives, continue to give attention to this interesting concern; and, although many difficulties and discouragements attend its prosecution, we believe it right to pursue our efforts for the relief and assistance of these oppressed and injured people. We send you herewith a copy of the Report for this year.

INDIAN REPORT.

Report of the Committee of the Yearly Meeting of Friends held in Philadelphia, appointed for the gradual civilization, &c., of the Indian Natives, presented to the Meeting 4th mo. 21st, 1841, and directed to be printed for the use of the members.

TO THE YEARLY MEETING.

The Committee charged with promoting the gradual Improvement and Civilization of the Indian Natives, report:

That although they have given the usual attention to this interesting concern, there are but few subjects in their operations since the last report which require notice. The Indians have been in a very unsettled condition

during the past year, in consequence of the embarrassment and distress produced by the ratification of the treaty, and their uncertainty as to the best course to be pursued by them in their trying and perplexing circumstances. They still cling to the hope that they shall be able to ward off the calamity which threatens them, either through the favourable disposition of the new administration and senate to give their case a rehearing, or by an appeal to the Supreme Court of the United States. Small as the hope afforded by these sources may appear to a disinterested observer, they are buoyed up by it, and seem as unwilling as ever to look toward relinquishing their present homes.

In a communication addressed to the Committee, dated, Tunesassah, 5 mo. 24th, 1840, signed by ten chiefs, they say:—"Although the information of the ratification of the treaty is distressing to us, yet it is a satisfaction to hear from you, and to learn that you still remember us in our troubles, and are disposed to advise and assist us. The intelligence of the confirmation of the treaty caused many of our women to shed tears of sorrow. We are sensible that we stand in need of the advice of our friends. Our minds are unaltered on the subject of emigration." Another, dated Cold Spring, 12th mo. 8th, 1840, holds this language:—"Brothers, we continue to feel relative to the treaty as we have ever felt. We cannot regard it as an act of our nation, or hold it to be binding on us. We still consider that in justice the land is at this time as much our own as ever it was. We have done nothing to forfeit our right to it; and have come to a conclusion to remain upon it as long as we can enjoy it in peace. We trust in the Great Spirit: to Him we submit our cause."

A letter from the Senecas, residing at Tonawanda, was addressed to the Committee, from which the following extracts are taken:—

"By the help of the Great Spirit we have met in open council this 23d day of the 5th month, 1840, for the purpose of deliberating on the right course for us to pursue under the late act of the government of the United States relating to our lands. Brothers, we are in trouble; we have been told that the president has ratified a treaty by which these lands are sold from our possession. We look to you and solicit your advice and your sympathy, under the accumulating difficulties that now surround us. We feel more than ever our need of the help of the great and good Spirit to guide us aright. May his council ever preserve and direct us all in true wisdom.

"It is known to you, brothers, that at different times our people have been induced to cede, by stipulated treaties, to the government of the United States, various tracts of our territory, until it is so reduced that it barely affords us a home. We had hoped by these liberal concessions to secure the quiet and unmolested possession of this small residue, but we have abundant reason to fear that we have been mistaken. The agent and surveyor of a company of land speculators, known as the Ogden Company,

have been on here to lay out our land into lots, to be sold from us to the whites. We have protested against it, and have forbidden their proceeding.

"Brothers, what we want is that you should intercede with the United States government on our behalf. We do not want to leave our lands. We are willing that the emigrating party should sell out their rights, but we are not willing that they should sell ours.

"Brothers, we want the President of the United States to know that we are for peace; that we only ask the possession of our just rights. We have kept in good faith all our agreements with the government. In our innocence of any violation, we ask its protection; in our weakness we look to it for justice and mercy. We desire to live upon our lands in peace and harmony. We love Tonawanda. It is the residue left us of the land of our forefathers. We have no wish to leave it. Here are our cultivated fields, our houses, our wives and children, and our firesides—and here we wish to lay our bones in peace.

"Brothers, in conclusion, we desire to express our sincere thanks to you for your friendly assistance in times past, and at the same time earnestly solicit your further attention and advice. Brothers, may the Great Spirit befriend you all—farewell."

Desirous of rendering such aid as might be in our power, a correspondence has been held with some members of Congress, on the subject of the treaty, and other matters connected with it; and recently, two of our number visited Washington, and were assured by the present secretary of war, under whose immediate charge the Indian affairs are placed, that it was his determination and that of the other officers of the government, to give to the treaty and the circumstances attending its procurement, a thorough examination; and to adopt such a course respecting it as justice and humanity to the Indians would dictate.

The friends who have for several years resided at Tunesassah, still continue to occupy the farm, and have charge of the saw and grist mills, and other improvements. The farm during the past year has yielded about thirty-five tons of hay, two hundred bushels of potatoes, one hundred bushels of oats, and one hundred bushels of apples. Notwithstanding the unsettlement produced by the treaty during the past season, the Indians have raised an adequate supply of provisions to keep them comfortably during the year; and they manifest an increased desire to avoid the use of ardent spirits, and to have their children educated. In their letter of the 12th month last, the chiefs say,—“We are more engaged to have our children educated than we have heretofore been. There are at this time three schools in operation on this reservation for the instruction of our youth.”

Our friend, Joseph Batty, in a letter dated 28th of 2nd mo. last, says:—“The Indians have held several temperance councils this winter. The chiefs (with the exception of two who were not present) have all signed a pledge to abstain from the use of all intoxicating liquors; and appear en-

gaged to bring about a reform among their people ; but the influence of the whites among them is prejudicial to their improvement in this and other respects.

By direction of the Committee,

THOMAS WISTAR, CLERK.

Philadelphia, 4th month, 15th, 1841.

Extract from the Epistle of the Yearly Meeting of Philadelphia, 1842.

The Report of our Committee for the gradual civilization and improvement of the Indian natives, a copy of which we herewith send you, will inform you of the present state of that interesting concern.

INDIAN REPORT.

Report of the Committee of the Yearly Meeting of Friends held in Philadelphia, appointed for the gradual Civilization, &c., of the Indian Natives, presented to the Meeting held from the 18th to the 22nd of the 4th month, 1842.

TO THE YEARLY MEETING.

The Committee for the gradual Civilization and Improvement of the Indian Natives, report, that during the past year they have given such attention to this interesting concern, as it appeared to require ; and they have the satisfaction to believe that the labour and care of Friends continues to be acceptable and useful to these deeply injured people.

Soon after the last Yearly Meeting two of our number made a visit to Washington, had interviews with the President of the United States, and the Secretary of War, and endeavoured to give them correct information, as to the unjust means by which the treaty with the Seneca Indians had been procured, as well as to inculcate feelings of sympathy toward that people. Our friends were kindly received, and assurances given them that the treaty, and the circumstances attending its procurement, should be closely scrutinized, and such measures pursued, in relation to it, as justice and humanity would dictate. Soon after this, the Secretary of War retired from office ; and no opportunity has yet been had with his successor. By information recently received from one of the senators at Washington, it appears that no measures have yet been taken by the government to carry the treaty into effect, and the hope is entertained that some means may yet be devised to avert the oppression and injustice which would arise from its execution.

The farm and other concerns at Tunesassah, continued under the care of

our friends Joseph and Rebecca Batty, until the 10th month last; when they were released at their own suggestion, and our friend Robert Scottin, believing it might be right for him to spend some further time in promoting the welfare of the natives, and having the approbation of the Committee, as well as that of his friends at home, took charge of the property at the settlement; and, we believe, is usefully employed there.

Many of the Indians continue to pursue their agricultural business with considerable industry and judgment, and procure a comfortable subsistence for themselves and families from the products of the soil. There has been a manifest improvement of late years in the character of their dwellings, many of them having erected good frame-houses, well finished, with glass windows and paneled doors, and some of them painted white, presenting a very neat and respectable appearance; and there is reason to believe that this would become more general, if it were not for the fear which possesses many of their minds, lest, after having expended their time and labour for these objects, they should soon be driven away, and compelled to surrender to others the enjoyments of the fruits of their industry. The same feeling operates as a discouragement to improving their lands; and it is obvious, that their present unsettled state retards both their moral and social improvement.

They have recently manifested increased interest on the subject of education, being desirous of having their children instructed, and also of promoting temperance and sobriety among their nation; and have used considerable efforts to accomplish these ends.

In the autumn of last year two of our number made a visit to the settlement at Tunesassah, and held a council with the natives, in which a letter from the Committee was read to them, and some other advice imparted. Blacksnake, an aged chief, in replying, expressed their thankfulness for the kindness and care of Friends. He said, the counsel given them had sunk into their hearts; that it was a long time since Friends first came forward and helped the Indians; and that often, since then, they had stood by them, and befriended them in the time of their extremity. That the chiefs were very desirous to promote industrious and sober habits among the people; and that care was now being taken for that purpose, and to induce them to desist from the use of ardent spirits; and many of the people had taken the advice given them, but others were still intemperate. Another chief said, that they were engaged in building a school-house, which they had hoped to finish that fall; but the labour having principally devolved on a few, and they being otherwise very much engaged, it was doubtful. It was stated by another, that the opposition to education had now very much subsided, and many of the people were very desirous to have a Quaker teacher to instruct their children for a time; after which it might be done by their own people. They all evinced much satisfaction at the prospect of having their old friend, Robert Scottin, to reside among them again;

and the Committee believed that the visit made them tended to renew and brighten the chain of friendship, and to increase their kindness and confidence towards Friends.

A letter received from Robert Scotten, dated 2nd of 12th month last, remarks, "The Allegheny Indians had a council at Cold Spring, on 6th of last month, to promote temperance among their people. They appeared earnest for the cause, and unanimous. The council was attended by men and women, and was the largest I remember to have seen at the place. Large as it was, I did not hear of any drunken Indian at the time of holding it, or since, at the village or elsewhere. They have had meetings since on the subject, and there is a concern among them to advise and persuade their people to decline the use of ardent spirits as a drink. The natives have gathered a good crop of corn and potatoes, and some other grain, and are about killing their hogs. They appear pretty well furnished with provisions for the coming year."

Another letter, dated 7th of 2nd month, gives the following information, viz. "Peter Crouse, (a half-bred Indian,) opened school in the fore-part of 12th month last, and continued it but a short time, being taken sick. Application was made to King Peirce, (an Indian,) to teach the school, and he acceded to it without much loss of time, and has given close attention thereto. He keeps good order in the school, the children improve in their learning, and their parents are satisfied with him as a teacher. It is attended by from fifteen to twenty children.

"The natives continue their concern to promote temperance among their people. They have frequently held councils on the subject in different parts of the reservation, and appointed sober men and women to watch over and advise those who are not so. I think it would be safe to say that their care and labour have not been lost, as the fruits of it appear in the conduct of the Indians, especially about the village of Cold Spring."

In contemplating the difficulties which seem to be accumulating around these poor people, and the encroachments of the white population upon their soil, and upon their rights, and how little their sorrows and sufferings appear to awaken the commiseration, or call forth the aid of many who have the power to relieve them, we feel that their situation demands the continued care of Friends, and that they have strong claims upon our sympathy, as children of the one universal Parent.

By an examination of the account of our treasurer, it appears that he has received for interest, &c. the sum of $\$2229\frac{6}{100}$, and has paid $\$286\frac{69}{100}$, leaving a balance of cash on hand of $\$1942\frac{37}{100}$, beside which there are bonds and mortgages in his possession, and drawing interest, amounting to $\$5900$.

Signed, on behalf, and by direction of the Committee, Philadelphia, 4th mo. 14th, 1842.

THOMAS EVANS, CLERK.

Other particulars, of an agreeable nature, relating to the Indians in the United States, have reached us through the medium of a letter from our friend Stephen Grellett, of Burlington, New Jersey, to William Allen; in which he states, that John Meader, of New England, a minister in our society, is gone on a religious visit to the Indian tribes west of the Mississippi; and that the American government had evinced a disposition to promote the prospects of John Meader, by furnishing him, at Washington, with documents addressed to the Indians and public functionaries resident among them, commending him, and the objects of his visit, in strong terms, to their notice. John D. Long and Samuel Taylor, jun., both Friends in the station of ministers, have, we are also informed, under a sense of religious duty, offered their services to promote the concerns of the Yearly Meeting of Friends of New England, and by a visit to the Indians located in the territory west of the Mississippi, and to those situated in the north, thoroughly to investigate the situation of the various tribes in those parts; in order to ascertain the course it may be most desirable for that Yearly Meeting to pursue, most availingly to render them assistance. We understand that these two friends intended to enter upon their arduous engagement in the 8th month last.

The following documents are those which the American government furnished to our friend John Meader.

To the Superintendents of Indian affairs, the Agents, Sub-Agents, and other Officers connected with the administration of Indian affairs, Civil and Military.

The bearer hereof, John Meader, an approved minister of the orthodox Society of Friends, proposes to pay a visit to the different Indian tribes to the west and south-west. He is prompted to this undertaking by a sense of religious obligation and a strong desire to extend the knowledge of Christian principles and duty among these wards of government; and in intimate connexion therewith to advance their acquaintance with sound morals; to urge upon them the necessity of their engaging in agricultural pursuits, the adoption of the manners and habits of civilized life; and, as indispensable to success in any, or all of these steps in improvement—the observance of strict temperance.

This Friend is highly commended. He will require the countenance and protection of the different officers of the department, and facilities for his intercourse with the several tribes he may visit. You will please to receive him kindly, and to afford him every reasonable opportunity of addressing and conferring with the objects of his philanthropic exertions.

It is the desire of the department that he shall have all the protection, aid, and facility to extend his benevolent purposes that you can respectively furnish him, and with that view he is commended in the strongest terms to your notice.

Signed, T. HARTLEY CRAWFORD,
Commissioner of Indian Affairs.
JOHN C. SPENCER, Secretary of War.

Washington, May 13th, 1842.

ADDRESS TO THE INDIANS.

FRIENDS AND BROTHERS,

John Meader, a minister of the society known by the name of Quakers, goes among you on an errand of love and mercy. He has undertaken a long and toilsome journey, because he believes the Great Spirit will be pleased, if he can succeed in persuading you to look to the God who made the red man, as well as the white.

Without this dependence no people can be happy or prosperous. The history of the world proves, that the nation which forgets religious duty soon loses sight of all other obligations, and withers and falls into misfortune.

He intends to talk with you also about dealing justly with each other, paying what you owe; and will show you that you ought not to injure or take each other's property, or that of the white man; that you should plough and hoe your land, and plant or sow seed in it; build houses, and live like white men.

The great evil and destroyer of the human race is whiskey. You cannot prosper in any undertaking without refusing to taste, touch, or handle this unclean thing.

Your white brethren are so well convinced of this truth, that a great change has come over them in this respect. It is considered among them to be unmanly and disgraceful to use fire-waters; and they have formed societies to encourage each other in the observance of temperate habits and sober lives.

If this good man talks to you on this important subject, listen to him,

follow his advice, and you will soon discern how just and true it is, that to have comfortable houses, good farms, obedient children, and happiness at your firesides, it is necessary to be sober.

Signed,

T. HARTLEY CRAWFORD,

Commissioner of Indian Affairs.

JOHN C. SPENCER, Secretary of War.

May 13th, 1842.

Extract of a Letter from Pennsylvania, dated 8 mo. 15, 1842.

Our Indian concern remains much as when I last wrote: the new bargain is about to be carried into operation. The Indians are to give up Buffalo and Tonawanda reservations, by far the most valuable, and to be allowed to retain Cattarangus and Alleghany. It is a hard case, a most unjust measure altogether. I fear that as soon as the holders of the pre-emption right sell out what they thus get, they will renew their claims for the rest: in fact they declare as much.

Extract of a Letter from New York, dated 8 mo. 31, 1842.

Those devoted Friends, John D. Long and Samuel Taylor, jun. passed through our city last second day, on their way to the Indian country. They intend to be present at Ohio Yearly Meeting; then to proceed on to those tribes situated at the north, not far, probably, from the British boundaries; then travel south as far as Red River, on the borders of Texas. They expect to be absent from four to six months. They are in good health, and seem wholly given up to this important and arduous labour of love. The government have encouraged them by handing suitable documents to show to military posts on their way, if they should need any help of this kind by guides, &c. through the wilds of America.

Extract of a Letter from a Friend of Philadelphia, dated the 18th of the 8th month, 1842.

Our friend Christopher Healey is now on a visit to the Indians in Michigan, and some of the other western states. An account from him states, that on reaching a settlement in Michigan, he felt deeply tried in mind, and he was almost ready to doubt whether he had not mistaken his duty in coming; but hearing of an aged Indian woman, whom he visited some years previous, at a settlement called Brotherstown, he went to see her. She remarked, that it seemed like presumption for a poor woman,

like her, to speak ; but she believed it right to say, that she felt it a great favour that her dear aged brother was sent to visit them again ; that what he had said, when amongst them before, was the everlasting gospel. It had brought conviction to her mind, which had ever since remained sealed there: they were truths which would do to live by, and die by. She hoped his labours would be blessed to their young people. She believed his day's work (as well as her own) was nearly finished, and she hoped his mantle would fall on the young men who were with him, as the mantle of Elijah fell on Elisha, with much more to the same import. He remarked, every doubt of the propriety of the journey was removed. She has meetings held regularly at her house on first and fifth-day mornings since his first visit.

How consoling to see his labours of love so blessed to these poor persecuted children of the forest !

Some interesting information relating to the tribe of the Cherokee Indians will be found in the following extract from a letter from Thomas Kimber. This powerful and intelligent portion of the native Indian population of the United States, by the policy of General Jackson, have been forced from the land of their forefathers to a strange and unknown country, far remote in the west; in their transmission to which it is said that no less than seven hundred have perished. It is with feelings of much regret that the Committee have heard, that although the Cherokees have submitted to the unrighteous mandate of the Federal Government, by removing from their native soil, in opposition to their unalterable attachment to it, by which many millions of acres of land have been added to the territories conceded by the Indians, military posts are proposed to be established, which are likely to lead to the introduction of white settlers to the territory which the Indians at present occupy, and which they were given to understand, by the advocates for their removal, would be their lasting and final location.

Extract of a Letter from Thomas Kimber to Isaac Collins, dated Philadelphia, 22nd of 8th month, 1842.

I have just had a very interesting interview with Jesse Busheyhead, a half-blood Cherokee, very intelligent and well educated, one of the deputation recently sent to Washington, to urge the claim of that injured tribe to further indemnity for the losses sustained by their expulsion from Georgia.

I was much gratified with his description of their present condition and prospects. He says they have adopted, in open council, a regular and very good constitution, guaranteeing to them a republican form of government, and trial by jury, and enjoining, as a requisite for public office, a belief in one God, and in a future state of rewards and punishments. They elect, by ballot, a president and vice-president; or, as they call them, a principal and second chief, who hold their office for a term of four years; also a legislative council and committee, or an upper and a lower house, for a term of two years each. They number about 20,000 souls. They have several churches, Presbyterian, Episcopalian, and Lutheran; First-day schools; temperance laws, prohibiting the introduction and sale of ardent spirits, which, however, are still forced upon them, or clandestinely introduced by the whites, resident at and near the forts which our government persist in maintaining on their confines, notwithstanding their earnest entreaties to have them removed. They have almost wholly abandoned the chase, and depend for support on agriculture and the mechanic arts, which they are cultivating with energy and success. Steam-boats run on the Arkansas river, through their settlement to New Orleans, which is their principal market for their produce. They have generally assumed our costume, and adopted the English language in all their official and public proceedings, and teach it principally in their schools. Their lands, which are of good quality, are held in severalty, and may be conveyed by deed, or inherited by their legal heirs, but cannot be sold to strangers; this is the only restriction to the entire control of them. Their territory is bounded by that of the Choctaws, containing a population of about 12,000, and that of the Creeks, containing about 20,000; both of which tribes are also making rapid advances in civilization. And Jesse admitted freely, that many of the Cherokees were agreeably disappointed in regard to the advantages of their present location; and that the injustice and oppression that had been inflicted on them by the American Government, might be so overruled as ultimately to promote their best interests.

Although, in past years, some arrangements were made for the admission of Indian delegates, as representatives of their tribes in Congress, yet this desirable object seems to have been frustrated, and it does not appear that any steps have latterly been taken to secure for the Indian population, a representation in the government of the country of which they form an important section.

Turning now from these tribes, which are within the United States, to those within the British possessions,

we find that the aboriginal inhabitants of Nova Scotia, known as the little tribe of Micmac Indians, cut off by their geographical position from intercourse with other Indian races of the American continent, and confined within boundaries insufficient for the supply of their wants, have, by a deputation from their body, laid their case before the colonial office, and their reception by Lord Stanley, the head of that department, encourages us to hope that their case will claim the attention of the government on their behalf.

Of the numerous tribes of Indians inhabiting the north-west of America, in the vicinity of Columbia river, the annexed communication, addressed by Herbert Beaver, a friend of Thomas Clarkson's and late chaplain at the Hudson's Bay Company's settlement on the river Columbia, to the Committee of the Aborigines' Protection Society, conveying important information respecting these natives, adds another to the already numerous and melancholy proofs of the ruinous consequences which have ensued to the Indian races, on that continent, by contact with those who, professing as they do the name of Jesus, should have proved as their friends and brethren, and instructors in righteousness; but respecting whom we fear that the language of the apostle is but too applicable: "The name of God is blasphemed among the Gentiles through you."

Letter of Herbert Beaver, relating to the Indians on the north-west coast of America, to the Committee of the Aborigines' Protection Society.

GENTLEMEN,

I proceed to furnish you with such information respecting the present condition of the Indians on the north-west coast of America, more particularly as it is affected by their intercourse with foreigners, as I was enabled to obtain during a residence of more than two years, in the capacity of chaplain, at the Hudson's Bay Company's settlements on the river Columbia. I resided at Fort Vancouver, the Company's principal depôt west of the Rocky Mountains, from the beginning of September, 1836, to the end of October, 1838, and during that time had ample opportunities of observing the moral, social, political, and intellectual state of

our red brethren in its neighbourhood. From time to time I reported, to the Governor and Committee of the Company in England, and to the Governor and Council of the Company abroad, the result of my observations, with a view to the gradual amelioration of the wretched degradation with which I was surrounded, by an immediate attempt at the introduction of civilization and Christianity among one or more of the aboriginal tribes ; but my earnest representations were neither attended to nor acted upon ; no means were placed at my disposal, for carrying out the plans which I suggested.

I also became acquainted with many acts of cruelty and murder committed upon natives, by persons in the Company's service, some of which I narrated by letter to the Deputy Governor of the Company at home, and to the Governor of the Company's foreign possessions, in the hope that a stop might be put to the recurrence of these horrible atrocities ; but from both I incurred a rebuke for my *undue* interference in matters which did not professionally concern me. I therefore rejoice in an opportunity afforded me by the Aborigines' Society, of bringing to light some of those hidden things of darkness, as well as of making public some statements regarding the interesting people among whom I so long sojourned, in order that humanity and religion may alike be roused to prevent their oppression and promote their salvation.

Although the trade in peltry is undoubtedly one of the grand means of civilizing and evangelizing the North American Indians, and although the Hudson's Bay Company, in whose name and interests those of the North West Company have merged, owes its entire prosperity, nay, its very existence, to commerce with the natives of the well-nigh unlimited territory over which it exercises a nearly uncontrolled sway, yet little has hitherto been done by the Company on the east side of the Rocky Mountains, and nothing on the west side, towards advancing in the scale of creation the innumerable tribes of untold rational and immortal beings, whose most important destinies have for the last hundred and seventy years been placed in its hands.

Of the state of the aboriginal inhabitants of the eastern side of the continent, considerable intelligence has, through various channels, been communicated ; none, or but little authentic, of that of those of the western ; and it is only with reference to a small part of these that I can now offer the result of personal inquiry.

Taking Fort Vancouver as the centre of a circle, having one of its radii extending to the sea, about ninety miles distant, there are within the circumference, about twelve distinct tribes of Indians, each speaking a different language and comprising an average of two hundred souls ; with two of these, the Chinook and Klickatack, I was most conversant, having freely mixed with them on many occasions, as some of both were continually in the vicinity of the fort. In manners and customs these tribes differ essen-

tially from each other, and as a similarity in these respects to one or other of them exists among the neighbouring tribes, I conceive that an account of them may serve as a tolerable guide to an acquaintance with those of whom I could obtain but a scanty personal knowledge, from their not so much frequenting the post at which I was stationed during my residence in the country.

The Chinook is a fishing tribe, dwelling on the banks of the river, and using canoes; the Klickatack is a hunting tribe, dwelling in the plains, and using horses. The latter is a much finer race than the former, both in appearance and disposition. The common dress of the Chinooks, both male and female, is a blanket, to which the females add a kilt or short petticoat, while the Klickatack men are seldom seen without a capot shirt, and pair of leggings, and the women are not unfrequently clothed in coarse cloth gowns. The Chinook women wear nothing on their heads, and those of the men are often without a covering: but the female Klickatack has always a cap of plaited grass, and the male one of fur or some other material. The arms and accoutrements of the one are also kept in a much more cleanly and efficient style than are those of the other. The persons too of the Klickatacks, both men and women, are far more pleasing than those of the Chinooks, who from squatting continually in their canoes, on their heels, (the posture of paddling) contract a habit of stooping, and a very inactive gait, while the others are upright, and walk with an elastic step. The figures of the Chinook women are often disgustingly obese; those of the Klickatack are generally straight, and sometimes almost beautiful.

But the greatest point of difference between the two tribes relates to their moral qualities. The Chinooks, in consequence of their greater intercourse with sailors, and the other lower servants of the Company, are excessively depraved. Their women, especially, are as accomplished courtesans as any upon the face of the whole earth: inferior to none in profligacy, disease, and extravagance. No instance came to my knowledge, or at least but one, and that uncertain, of a Klickatack woman misconducting herself with a white man. It is true that polygamy is practised by both tribes, and that capricious divorces sometimes take place; but this is a native custom, in which they know no harm, and vastly to be distinguished from those exotic vices, which have been implanted in the aboriginal soil.

Among crimes which are certainly not indigenous, infanticide stands foremost. It is committed by the mother, or at her desire, but never when an Indian is the father, generally in consequence of the desertion of the white father. Abortion is likewise resorted to with the design of not putting him to the expense and trouble of maintaining his offspring. Yet the unhallowed connexions, which lead to these crimes, are permitted, nay, encouraged by the Company, who might easily restrain them. Infidelity in Indian women living with their natural husbands is of rare occurrence;

that of those living with the lower servants of the Company notoriously common. Of its dreadful effects let the records of the hospital at Vancouver testify. Nor are the ravages of the malady alluded to confined to that spot, I believe that the blood of the whole Chinook race is tainted with it, and that through the agency of sailors it is disseminated along the coast for hundreds of miles, and perpetuated at the other posts of the Company.

While the tide of demoralization thus overspreads with irresistible violence the only regions where he can at present exist, the efforts of the missionary must be feeble, if not altogether useless. It is an observation, never more truly exemplified than at the Company's settlements, that wherever the Gospel has been carried among modern heathen nations, there, simultaneously, has vice, before unknown, been imported; and that the lives of the professors of Christianity are the most fatal hindrances to its being embraced by even the most uncultivated savages. The Indians, with whom I conversed, were, for the most part, intelligent and argumentative, and drew conclusions, not from what they heard, but from what they saw; and assuredly they saw no recommendation of religion in the example of the generality of the Company's servants, with whom its precepts seemed to be in almost total abeyance.

One great cause of the immorality at the place where I was stationed, and a consequent barrier to the improvement and conversion of the Indians, was the holding of some of them in a state of slavery by persons of all classes in the Company's service, and by those who have retired from it, and become settlers on the rivers Willamette and Cowlitz, but over whom the Company retain authority. The whole number of these wretched beings amounted to between eighty and ninety. They were miserably clothed and fed, nor was it possible that they could receive any instruction while they continued in their very degraded condition. I knew some of them to be flogged by order of the officer in charge of the establishment, and others to be cruelly ill-used by their owners. The women themselves, who were living with the lower class of the Company's servants, were much in the condition of slaves, being purchased of their Indian proprietors or relations, and not unfrequently resold amongst each other by their purchasers. But I forbear to add more upon this part of my subject, having communicated full information respecting it to the Committee of the Anti-slavery Convention, by whom my communication has been published.

Besides these standing evils, to which the Aborigines are subjected by their intercourse with the Hudson's Bay Company, several most atrocious outrages, committed upon them by persons in the Company's service, came to my knowledge. Soon after my arrival at Vancouver I was informed by many persons, one of whom had nearly been an eye-witness of the transaction, having been invited to assist in holding down the unhappy sufferer, that in the month of February 1835, a most infamous outrage, which cannot here be more particularly described, was committed upon the

person of an Indian, not however as a necessary surgical operation, by the surgeon of the establishment, but with the connivance and permission, if not by the order of the officer in charge.

About the middle of the summer 1836, and shortly before my arrival at Vancouver, six Indians were wantonly and gratuitously murdered by a party of trappers and sailors, who landed for the purpose from one of the Company's vessels on the coast somewhere between the mouth of the river Columbia and the confines of California. Having on a former occasion read the particulars of this horrid massacre, as I received them from an eye-witness, before a meeting of the Aborigines' Society, I will not now repeat them. To my certain knowledge the circumstance was brought officially before the authorities of Vancouver, by whom no notice was taken of it, and the same party of trappers, with the same leader, one of the most infamous murderers of a murderous fraternity, is annually sent to the same vicinity to perform, if they please, other equally tragic scenes. God alone knows how many red men's lives have been sacrificed by them since the time of which I have been speaking. He also knows that I speak the conviction of my mind, and may He forgive me if I speak unadvisedly, when I state my firm belief that the life of an Indian was never yet by a trapper put in competition with a beaver's skin! The very way in which the Aborigines are spoken of by the trappers and leaders of trapping parties goes far to prove the correctness of my assertion. "Those d—d," "those rascally," "those treacherous" Indians, are the unmerited appellations, by which the race is universally designated.

In the former part of the same year, I was credibly informed, that the same party killed one Indian, wounded another, supposed mortally, and threw a child into a fire, in consequence of a quarrel respecting a knife, which was afterwards found upon one of themselves. And during the year before, they put four Indians to death for stealing their horses, which might be pleaded as some excuse for the brutality, but that they afterwards killed ten or twelve more in cold blood, and set fire to their village. The Indians lived in such constant dread of this party, that they were unable to descend into the plains from their fastnesses in the mountains, to procure their usual modes of subsistence. Do not these things imperatively demand inquiry and interference? Is not such treatment as I have narrated of their red brethren unbecoming to persons who profess the religion of the Prince of Peace, and to persons, who, ignorant themselves of the precepts of Christianity, may be in the service of such professors? Yet these acts are not only committed and winked at, but opportunities are even furnished for their recurrence. It should never be forgotten that the Hudson's Bay Company are but as invaders of the soil, on which these excesses are committed by their servants, and that as such, the least they can do is to restrain all unnecessary violence towards the rightful possessors, both of it and of the furs which it produces, not for the benefit of the Aborigines, but for

the promotion of far distant mercantile interests. If it be asserted that resistance against Indian aggression is indispensable, or that retaliation is necessary to insure future safety, I maintain that the white man has no right to intrude himself into a country against the wishes of its inhabitants. If it be said that they make no use, or not a proper use, of its productions, I would ask, have they not a right to do what they will with their own? But I apprehend that if the Indian had always been treated as he ought to have been by the white man, he would never have resorted to acts of violence to expel from his country him, whom constant ill-usage has taught him to regard as his natural enemy. And with respect to the furs of that country, to rob their lawful owner of them, by taking possession of them, either with no payment, or a most inadequate one, is surely not a legitimate method of teaching him their proper use and value. Of articles bartered by the Company for peltry and other native produce, one half may be classed as useless, one quarter as pernicious, and the remainder as of doubtful utility; for I cannot but consider of very questionable utility, in the real sense of the word, even that clothing, for which the natives are servilely dependent on the Company, and for which they have long since discarded the vestments which their own country spontaneously affords.

Were I to dilate upon the ruinous consequences to our red brethren, which have ensued upon their intercourse with whites, and to narrate all I heard and knew of their ill-usage by the latter, I should far exceed the limits of this communication. I have attempted to embody the information, of which I am possessed in a publication which I hope will soon be ready for the press. In the mean time I have to express my readiness to reply most fully and freely to any inquiries which may be made with a view to ameliorate the condition of the Aborigines of the north-west coast; nor may it be irrelevant from the designs of a society formed for their protection, if I were to state some facts relative to that of the Sandwich islanders in the Company's service.

There is a considerable number of them in the service scattered all over the continent, from twelve to twenty being imported about every other year from their native country, which is three or four weeks' sail from the Columbia River, and few ever returning home again. Their condition is little better than that of slavery, being subject to all the imperious treatment which their employers may think fit to lay on them, whether by flogging, imprisonment, or otherwise, without a possibility of obtaining redress. Each of them, before embarkation in their own country, receives a small advance of money, part of which their chiefs seize as a bonus for permitting them to have it, and for relinquishing all future claim to their services. The remainder is usually squandered; so that when they arrive in a colder climate they are destitute of adequate clothing, the supply of which generally consumed the whole of their wages for the first year. Nor are they afterwards able to save much of these, for all their necessaries are charged

at the rate of one hundred per cent. upon the invoice price, that is, double the value of the goods in England; whereas only fifty per cent. addition to the prime cost is charged to the other servants of the Company. This difference is made in order to compensate the Company for the nominal payments to the Sandwich islanders of higher wages, than are given to their other servants of the same class. While others receive seventeen pounds per annum *they* receive thirty pounds, or ten dollars per month; by which tempting offer this simple but amiable people are induced to enter the service. In reality, therefore, they are worse paid than others, although their ignorance of the value of money, and their confiding disposition, prevent them from being cognizant of the deception and imposition thus shamelessly practised upon them.

But these are not all the grievances of which they have to complain. During my residence at Vancouver, one of them was confined there in irons for the space of five months and four days, during which he was never released from his handcuffs, and this for *no fault at all* only for a *supposed* dereliction of duty, which afterwards turned out not to be the case. At the commencement of his imprisonment for the same imputed offence, he received forty lashes on his bare back; and during the continuance of it he was attacked with intermittent fever, which being reported to the officer in charge of the establishment, his humane reply was, "Let him shake and be d—d!" nor was the poor fellow released from his irons even under that afflictive circumstance. The same man had been flogged on a previous occasion for accidentally losing a canoe, the value of which was charged against his account, being thus made to pay for the same fault, if it was one, both in his person and in his pocket.

I knew another Sandwich islander to be severely flogged, though bearing a general good character, for making a trifling mistake, unattended by any injury to the service, with respect to some orders which he had received, and which, from his ignorance of the language in which they were conveyed, he probably had not understood. I knew another die in the hospital, as was generally supposed, in consequence of a wound inflicted on his head by the commander of one of the Company's vessels. His countrymen made a complaint to the officer in charge, by whom it was not entertained, nor was any investigation instituted. The surgeon affirmed that he died of apoplexy. I will not put my judgment in competition with the professional; I will only state, that from the time when the poor man came into the hospital until that of his death, which was several days, he was continually convulsed, having a sort of paralytic motion, or catching of the head and neck.

In the year 1832, as I was informed by the commander of the vessel in which he was proceeding to his native country, as well as by several others, a Sandwich islander died on board, and that his death was attributed to a flogging which he had received for stealing a pig. But I have said enough to prove the oppression practised towards these helpless people. Perhaps

the most deplorable part of their condition is that they soon lose the Christian instruction which has been imparted to them by their excellent missionaries at home ; they revert to the abominable practices of their idolatrous times, and form connexions with the Indians, to whose level they speedily sink. On my second visit to Oahu, I had the satisfaction, in consequence of my representations and those of some of their subjects who had returned, of learning that the king and the chiefs had issued a decree that no more of them should enter the Company's service. How long cupidity may permit the observance of this decree, I am unable to conjecture ; but even should it be acted upon, there will still remain in the Company's service a sufficient number, with their offspring, of those interesting islanders to attract the attention of the humane.

Should the society desire it, I shall have much pleasure in communicating the plans which I have suggested, and which I should wish to see adopted, for the improvement of their condition, and likewise for the improvement of that of some of the aboriginal tribes of the north-west coast, particularly the Klickatack, to which I chiefly directed my attention and that of the Company, as being most likely to benefit by missionary enterprise.

Since writing the above, I have learned from good authority that in the month of August 1840, an Indian was hanged near the mouth of the Columbia river, and several others shot, and their village set on fire, by a party in the employment of the Hudson's Bay Company, under the command of chief factor M'Loughlin, who led them from Fort Vancouver ; thus indiscriminately to revenge the death of a man, who lost his life in an affray while curing salmon.

(Signed) HERBERT BEAVER.

Since the writing of this letter, Herbert Beaver has gone to reside in South Africa, and the further communications to which he alludes have not as yet been received. It must also be stated, that since the period to which the letter above quoted relates, an extension of missionary settlements in the Indian country has taken place under the auspices of the Hudson Bay Company ; that Governor Sir George Simpson has traversed the continent of North America from east to west, and there is reason to hope that an improvement in the treatment of the Indians may be the result of his attention to the subject. It is, however, of vital importance that attention be kept alive to this subject, both for the purpose of interesting those who may have any influence in that quarter, and of eliciting information from a part of the globe regarding which very little transpires.

NEW HOLLAND.

Respecting the natives of Australia we are in possession of information of a gloomy character. It has been with feelings of a painful nature we have noticed that the accounts from this country contain many instances of cruel barbarity, committed both by the natives and the colonists, in which great destruction of property and loss of life have taken place, but which, it is considered, have fallen in the proportion of at least forty to one on the incensed Aborigines. The following extract from a paper, which we have before us, contains an allusion to some of the causes which have led to these deplorable events, and by which it is evident that these occurrences have arisen from wrongs inflicted on these poor ignorant people by the white settlers, viz.

“That the Aborigines have been losers, instead of gainers, by the settlement of the whites amongst them, is beyond dispute; they have contracted, if not all the vices of the Europeans, at least many of them, and none of their virtues. From their mixing with only the basest of mankind what other can be expected than their being contaminated? Instead of being even partially civilized, the only advantages bestowed on them by their brethren of the white skin, is the rendering their hunting-grounds useless to them, and of having taught them habits of lying, pilfering, swearing, drinking, and smoking, and of having had entailed on them and their offspring the most loathsome diseases. This description does not apply in all cases; yet, generally speaking, it is but too accurate. Where the blacks have had little or no intercourse with the whites, you will find them more robust in their persons, more independent in their bearing, and altogether free from those detestable practices that have enfeebled and brutalized their brethren. They have been accused of murder and the destruction of the property of the settlers; but it is not of that alarming character as made out—in fact, the contrary is the case; for it is well known that ten blacks are murdered for one white. That the blacks, from sheer necessity, are driven to spear some of the settlers’ cattle is true; yet, to the candid reader this will be matter of no surprise, when he recollects that the savage considers the white man as the wrongful possessor of his country, and that instead of receiving any benefit therefrom, fatal experience has taught him that wherever the print of the European appears, he must either remain to starve or fall back upon some hostile tribe, which he either exterminates or by which he is exterminated. Which of these evils shall he choose? The kangaroo and the emu forsake the plains and the forests, wherever the

herds and flocks break ground. The writer says, he was one day asked by a native of the Maneroo country for something to eat, at the same time remarking, with a most pitiful expression of countenance, "You see, massa, all about here belong to black fellow long time ago. Plenty emu, and tousand, tousand kangaroo. Gumbukku luck, dundial com and drive kangaroo and emu all away. Poor fellow—black fellow." These were the very words. Let but one consider, that in spite of all the boasted philanthropy of England, the natives of New Holland, instead of being either civilized or Christianized, after an intercourse of more than half a century, are now in a more deplorable state than when this vast continent was a blank on the world's map. It is absurd to suppose that miracles can be wrought, and that the untamed savage should become, all at once, versed in the knowledge and arts of civilized men. No, that cannot be done; but much could by such a people as Britons. But what has been done to better the condition of these children of nature? Absolutely nothing. It has been argued that they are so wedded to their savage mode of life that they will not relinquish it for any other; and also, that there is manifest intellectual incapacity in them to receive instruction. As regards the former assertion, why such is always the case with savage tribes. What were the ancestors of polished England previous to the Roman invasion? In a state of society little removed from that of the New Hollander. As to the latter, it is denied that there is any such mental incapacity as to prevent them from becoming, in time, intelligent and useful members of the community. This is apparent to every one who has had opportunities of observing the shrewdness and natural quickness of observation they possess in a high degree. Where the experiment has been tried, to educate any of them, it has perfectly succeeded: all are not apt alike, but this cannot be expected; there is a wide-spread prejudice afloat on this subject, at home and abroad."

It would have been gratifying to the Committee to have been able to state, that the natives in our colonies in this distant region, had been admitted to the rights of citizenship, and that they were allowed to be received as competent witnesses in criminal cases; but we are concerned to observe that this is denied them—a practical evil, by which the ends of justice, as respects the natives, are frustrated. Annexed we subjoin the highly interesting and important report of Captain Grey to Lord John Russell, as Secretary for the Colonies, prior to his assuming the government of South Australia; which report, we understand, has been recommended by Lord John Russell to the governors of the various colonies, as well as New Zealand. One very interesting fea-

ture in this report is, the importance which Captain Grey attaches to the receiving of the evidence of natives, without an oath, in courts of law; their ignorance of the nature of which has hitherto been made the plea for excluding them from giving their evidence in a court of justice, and which they consider as a great hardship, and against which Friends have repeatedly remonstrated at the Colonial Office.

Report of Captain Grey, Governor of South Australia, entitled, A Report upon the best Means of promoting the Civilization of the Aboriginal Inhabitants of Australia.

1. The Aborigines of Australia have hitherto resisted all the efforts which have been made for their civilization. It would appear, that if they are capable of being civilized, it can be shown that all the systems on which these efforts have been founded contained some common error, or that each of them involved some erroneous principles. The former supposition appears to be the true one; for they all contained one element—they all started with one recognised principle, the presence of which in the scheme must necessarily have entailed its failure.

2. This principle was, that although the natives should, as far as European property and European subjects were concerned, be made amenable to British laws, yet, so long as they only exercised their own customs upon themselves, and not too immediately in the presence of Europeans, they should be allowed to do so with impunity.

3. This principle originates in philanthropic motives, and a total ignorance of the peculiar traditional laws of this people; which laws, differing from those of any other known race, have necessarily imparted to the people subject to them a character different from all other races, and hence arises the anomalous state in which they have been found.

4. They are as apt and intelligent as any other race of men I am acquainted with: they are subject to the same affections, appetites, and passions as other men; yet, in many points of character* they are totally dissimilar to them; and, from the peculiar code of laws of this people, it would appear not only impossible that any nation subject to them could ever emerge from a savage state, but even that no race, however highly endowed, however civilized, could in other respects remain long in a state of civilization, if they were submitted to the operation of such barbarous customs.

5. The plea generally set up in defence of this principle is, that the natives of this country are a conquered people, and that it is an act of generosity to allow them the full power of exercising their own laws upon themselves: but this plea would appear to be inadmissible; for, in the first

place, savage and traditional customs should not be confounded with a regular code of laws: and, secondly, where Great Britain ensures to a conquered country the privilege of preserving its own laws, all persons resident in this territory become amenable to the same laws, and proper persons are selected by the Government to watch over their due and equitable administration. Nothing of this kind either exists or can exist with regard to the customs of the natives of Australia. Between these two cases, then, there is no apparent analogy.

6. I would submit, therefore, that it is necessary, from the moment the Aborigines of this country are declared British subjects, they should, as far as possible, be taught that the British laws are to supersede their own; so that any native who is suffering under their own customs may have the power of an appeal to those of Great Britain: or, to put this in its true light, that all authorised persons should, in all instances, be required to protect a native from the violence of his fellows, even though they be in the execution of their own laws.

7. So long as this is not the case, the older natives have at their disposal the means of effectually preventing the civilization of any individuals of their own tribes; and those among them who may be inclined to adapt themselves to the European habits and mode of life will be deterred from so doing, by their fear of the consequences that the displeasure of others may draw down upon them.

8. So much importance am I disposed to attach to this point, that I do not hesitate to assert my full conviction, that whilst those tribes which are in communication with Europeans are allowed to execute their barbarous laws and customs upon one another, so long will they remain hopelessly immersed in their present state of barbarism: and however unjust such a proceeding might at first sight appear, I believe that the course pointed out by true humanity would be, to make them, from the very commencement, amenable to the British laws, both as regards themselves and Europeans; for I hold it to be imagining a contradiction, to suppose that individuals subject to savage and barbarous laws can rise into a state of civilization which those laws have a manifest tendency to destroy and overturn.

9. I have known many instances of natives who have been almost or quite civilized being compelled by other natives to return to the bush; more particularly girls, who have been betrothed in their infancy, and who, on approaching the years of puberty, have been compelled by their husbands to join them.

10. It is difficult to ascertain the exact effect the institutions of a country produce upon the character of its inhabitants; but it may be readily admitted that if two savage races of equal mental endowments, and with the same capacity for civilization, were subject to two distinct sets of laws, the one mild and favourable to the development of civilization, the other blood-thirsty and opposed to it, the former race might gradually be brought

to a knowledge of Christianity and civilization; whilst precisely similar efforts made with regard to the latter might be attended with no beneficial result.

11. Again, it would be unfair to consider the laws of the natives of Australia as any indication of the real character of this people; for many races who were at one period subject to the most barbarous laws, have, since new institutions have been introduced amongst them, taken their rank among the civilized nations of the earth.

12. To punish the Aborigines severely for the violation of laws of which they are ignorant, would be manifestly cruel and unjust; but to punish them in the first instance slightly, for the violation of these laws, would inflict no great injury on them; whilst, by always punishing them when guilty of a crime, without reference to the length of period that had elapsed between its perpetration and their apprehension, at the same time fully explaining to them the measure of punishment that would await them in the event of a second commission of the same fault, would teach them gradually the laws to which they are henceforth to be amenable; and would show them that crime was always eventually (although it might be remotely) followed by punishment.

13. I imagine that this course would be more merciful than that at present adopted; viz. to punish them for the violation of a law they are ignorant of, when this violation affects an European; and yet to allow them to commit this crime as often as they like, when it only regards themselves. For this latter course teaches them, not that certain actions, such, for instance, as murder, &c., are generally criminal, but only that they are criminal when exercised towards the white people; and the impression consequently excited in their minds is, that these acts only excite our detestation when exercised towards ourselves; and that their criminality consists, not in having committed a certain odious action, but in having violated our prejudices.

14. In the vicinity of towns, where there is a certain judicial force, and where, on account of the facility of obtaining food, the natives always congregate, it would, by a steady and determined line of conduct, be comparatively easy to enforce an observance of the British laws; but even partially to attain this object in the remote and thinly-peopled districts, it is necessary that each colony should possess an efficient mounted police; a portion of whom should be constantly in movement from district to district; whilst another portion, resident in a central situation, should be ready to act instantly in any direction where their presence was required. I do not apprehend that this body need be numerous; for their utility would depend more on their activity and efficiency than on their numbers. It is absolutely necessary, for the cause of humanity and good order, that such a force should exist; for so long as distant settlers are left unprotected, and are compelled to take care of and avenge themselves, so long must great barbarities necessarily be committed; and the only way to prevent great crimes

on the part of the natives, and massacres of these poor creatures as the punishment of such crimes, is to check and punish their excesses in their infamy. It is only after becoming emboldened by frequent petty successes that they have hitherto committed those crimes which have drawn down so fearful a vengeance upon them.

15. The greatest obstacle that presents itself in considering the application of the British laws to these Aborigines, is the fact, that from their ignorance of the nature of an oath, or of the obligations it imposes, they are not competent to give evidence before a court of justice; and hence, in many cases, it would be extremely difficult, if not impossible, to obtain evidence on which a prisoner could be convicted.

16. One mode of evading this difficulty would be, to empower the court to receive evidence from natives in all causes relating solely to themselves, without the witness being sworn; only allowing testimony of this nature to hold good when borne out by very strong circumstantial evidence. Secondly, to empower the court always to receive evidence from natives called on by a native prisoner in his defence, such evidence being subject to the before-named restrictions.

17. The fact of the natives being unable to give testimony in a court of justice is a great hardship on them, and they consider it as such. The reason that occasions their disability for the performance of this function is at present quite beyond their comprehension, and it is impossible to explain it to them. I have been a personal witness to a case in which a native was most undeservedly punished, from the circumstance of the natives, who were the only persons who could speak to certain exculpatory remarks, not being permitted to give their evidence.

18. There are certain forms in our colonial courts of justice, as at present conducted, which it is impossible to make a savage comprehend. I attended one quarter-sessions, at which a number of natives were tried on a great variety of charges. Several of them were induced to plead guilty; and on this admission of their having committed the crime, sentence was pronounced upon them. But when others denied their guilt, and found that this denial produced no corresponding result in their favour, whilst, at the same time they were not permitted to bring forward other natives to deny it also, and to explain the matter for them, they became perfectly confounded. I was subsequently applied to by several intelligent natives to explain this mystery to them, but I failed in giving such an explanation as would satisfy them.

19. The natives being ignorant of the laws, of the forms of our courts of justice, of the language in which the proceedings are conducted, and the sentence pronounced upon them, it would appear that but a very imperfect protection is afforded them, by having present in the court merely an interpreter, (very often an ignorant man,) who knows nothing of legal proceedings, and can be but very imperfectly acquainted with the native language. It must also be borne in mind that the natives are not tried by a jury of

their peers, but by a jury having interests directly opposed to their own, and who can scarcely avoid being in some degree prejudiced against native offenders. From these considerations I would suggest, that it should be made binding upon the local government, in all instances, (or at least in such instances as affect life,) to provide a counsel to defend native prisoners.

20. Some other principal preventives to the civilization of the Aborigines, in addition to those I have already stated, are—

First—The existence of an uncertain and irregular demand for their labour: thus they may have one day sufficient opportunity afforded them for the exertion of their industry; whilst the next day their services are not required, so that they are compelled once more to have recourse to their former irregular and wandering habits.

Secondly—Their generally receiving a very inadequate reward for the services they render: this, combined with their natural fondness for the bush, induces them to prefer that mode of subsistence which, whilst it is infinitely more agreeable and less laborious, procures for them nearly as great a reward as hiring with white people.

Thirdly—Their not being taught that different values are attached to different degrees of labour, as well as to the skill and neatness with which it is performed.

21. These impediments might all either be removed or modified in some districts by the establishment of native institutions and schools; but in forming a general plan for their removal, which would be equally applicable to all parts of a colony, a very novel difficulty presents itself:—

22. Imagining that a native child is perfectly capable of being civilized, let it be also granted, that from proper preventive measures having been adopted, this child has nothing to fear from the vengeance of the other natives, so that it stands, in these respects, nearly, or altogether, in the position of a European.

23. If this native child is a boy, who is to pay the individual who undertakes to teach him some calling the fee usually given with an apprentice? Who will indemnify this person for the time he spends in instructing the boy, before he can derive any benefit from his labour; or for the risk he incurs of the boy's services being bestowed elsewhere, as soon as they are worth having.

24. Until this difficulty is got over it appears evident that the natives will only be employed in herding cattle, or in the lowest order of manual labour, which requires no skill, and for which the reward they receive will be so small as scarcely to offer an inducement to them to quit their present wandering mode of life.

25. The remedy I would suggest for this evil would have another advantage, besides a tendency to ameliorate it; for it would give the settlers a great and direct interest in the Aborigines, without entailing any expense upon the Government. It is founded on the following fact:—

26. The Government, in order to create a supply of labour in the colonies, have been in the habit of giving certain rewards to those individuals who introduced labourers into them. Now it would appear, that he who reclaims one of the Aborigines, not only adds another labourer to those who are already in the colony, but confers such a benefit on his fellow-settlers, by rendering one who was before a useless and dangerous being, a serviceable member of the community, that this circumstance alone entitles him to a reward.

27. I would therefore propose, that on the production of the hereafter-named documents, a settler should receive a certificate, entitling him to a certain sum, which should either be allowed to reckon towards the completion of location duties, or else, as a remission certificate in the purchase of land, or, in lieu of this, a grant of land; and that this sum, or grant, should be regulated according to a table specifying the various circumstances that are likely to occur, and drawn up by the local Government of each place, where such regulations should be introduced.

28. The documents to which I allude are these: First, a deposition before the nearest magistrate to such settler's house, that a native or natives have been resident with him constantly for the last six months, and have been employed in stated species of labour. Secondly. A certificate from the Government Resident of the district, that to the best of his belief such statement is true; for that, on his visiting this settler's house, the stated numbers of natives were there, and were respectively occupied in the kinds of labour described. Thirdly. A certificate from the Protector of Aborigines, that he has visited this settler's house, that the stated numbers of natives were resident there, and appeared to be progressing in the knowledge of that branch of industry in which they were respectively stated to be employed.

29. It would be further necessary, that any settler who intended to endeavour to reclaim natives should give a short notice to the Protector of Aborigines, previously to the commencement of the first six months.

30. Could this plan be brought into operation, the work of the civilization of the Aborigines would at once be commenced upon a great scale, it would not be confined to a single institution, but a variety of individuals, endowed with different talents and capacities for this work, would at once be employed on it. It is, indeed, rather suited and intended for the outskirts of civilization, thinly populated by settlers, than for towns; yet it is applicable to both situations; whilst its direct operation would be to induce the settler adequately to remunerate the native, as well as to provide him with a constant supply of labour, and to use every exertion, by kind and proper treatment, to attach him, for as long a period as possible, to his establishment.

31. In considering the kinds of labour in which it would be most advisable to engage natives, it should be borne in mind, that in remote districts, where the European population is small, it would be imprudent to in-

duce many natives to congregate at any one point; and the kinds of labour in which they should be there engaged, ought to be of such a nature as to have a tendency to scatter them over the country, and to distribute them amongst the separate establishments.

32. Whilst in the well-peopled districts, where a force sufficient both to protect and control the Aborigines exists, they should be induced to assemble in great numbers; for they work much more readily when employed in masses: and by thus assembling them on one point, their numbers are diminished in those portions of the colony which have a small European population, and they are concentrated at a spot where proper means for their improvement can be provided.

33. The first of these principles has been strictly attended to in the plan proposed in the 27th and following paragraphs of this Report: the second has been carried into successful operation in Western Australia.

34. In order that the work on which the natives are employed in the vicinity of towns should be of the most advantageous nature, it is necessary that it should be productive of benefit both to themselves and to the Government which employs them, so that it cannot be complained of as a useless expense; whilst, at the same time, it should be of such a kind as to accord with that love of excitement and change which is so peculiar to this people.

35. Both of these ends would be attained by employing the Aborigines either in opening new roads or in repairing old lines of communication: indeed, this mode of employment is singularly suited to the habits of these people: they might be kept constantly moving from post to post, thus varying the scene of their operations: one portion of the party might be employed in hunting with kangaroo-dogs, or fishing, in order to supply the others with fresh meat; and the species of labour in which the main body were engaged, might, if they wished it, be changed once or twice in the course of the day, to prevent their being wearied by the monotonous character of their employment.

36. Among other enactments which I believe would have a tendency to promote the civilization of the Aborigines, and which are applicable to those districts in which, for some time, a great intercourse has existed between the natives and the Europeans, are the following:—

37. “That any native who could produce a certificate (from the Protector of Aborigines) of having been constantly employed at the house of any settler for a period of not less than three years, should be entitled to a grant of land; the extent of which should be fixed by the local Government of the colony to which such native should belong; and that, if possible, this grant should be given in that district to which this native, by birth, belonged.

“That, in addition to this grant, he should receive a sum of money, the amount of which should also be fixed by the local Government, and which should be drawn from the funds raised by the sale of Government lands;

and which should be expended in goats, poultry, &c., so as to enable the native in some manner to stock his land.

"That any native having only one wife, who produced a certificate of the civil marriage contract having been performed between himself and her by the Resident of the district to which he belonged, should be entitled to a small reward.

"That any natives who registered duly the birth of any of their children should be entitled to a small reward.

"That some competent person should be paid to instruct two native boys, in such a manner as to qualify them to act as interpreters in courts of law: and that as soon as they are found competent they should be employed for this purpose.

"I believe that many other regulations similar to these would be found to produce a very beneficial effect."

NEW ZEALAND.

The Committee refer, with peculiar interest and anxiety, to the situation and prospects of the New Zealanders; and cannot but regard, with feelings of deep concern and apprehension, the progress of emigration to this distant colony, unless measures be taken by which the rights and property of the natives are acknowledged and properly secured.

We are gratified in being able to state, from the various communications which we have received, that the natives are an agricultural people, and accustomed to fixed habitations; and that there exists a disposition and an aptitude, on their part, to enter into social communion, and to become citizens of the same state with the colonists, whose numbers now amount to about 10,000. Ernest Dieffenbach, M.D., late naturalist to the New Zealand Company, who has had abundant opportunity, by a sojourn among the natives of New Zealand, of arriving at a just estimate of their character, supports this view; in a letter relating to them, he says:—

"They are a people decidedly in a nearer relation to us than any other; they are endowed with uncommonly good intellectual faculties; they are an agricultural nation, with fixed domicile, and have reached the furthest point of civilization which they possibly could, without the aid of other nations, or without the example of history. They mix easily with the Europeans, which has been effected to such a degree, that, by future immigrations, an entire mixture must be foreseen."

We are also informed that these Aborigines evince a strong desire to be able to read and write ; and we understand that, out of their population, which is now computed at 120,000, one-third of the whole have already learnt to read, and that several thousand testaments in their own language are now possessed by them ; most of which they have obtained from the missionaries, principally in exchange for articles of food.

We have recently received from an intelligent and benevolently disposed settler in New Zealand, and one upon whose statements we can place full reliance, some information of a highly interesting and important character, relating to the subject of native reserves of land, and the native territorial rights. The beneficial effects which had been anticipated as the result of reserving a tenth, or rather, as it turns out to be, an eleventh of the territory of New Zealand for the exclusive use and benefit of its native inhabitants, have, we are informed by this communication, hitherto been very much frustrated, by the mode adopted in selecting these reserves. In alluding to this subject, the writer observes :

“ In the purchase deeds, as well as in the published documents of the Company, there is contained a pledge that one-tenth of the land acquired should be set apart for the use of the natives. This pledge has been, in form, redeemed ; but in substance it has, it seems to me, been widely departed from. Reserves for the benefit of the natives have been made ; but, unfortunately, they have been made in such a manner as to produce few or none of those immediate results which were anticipated by the intelligent and philanthropic individuals who devised the plan. In the harbour of Port Nicholson, for instance, there are nine Pahs, or native villages ; of these only three have been selected as native reserves, and one is laid out as a public reserve, leaving five which have become the property of private individuals. In the immediate vicinity of the harbour, there were, perhaps, about five or six hundred acres, which might be considered as occupied by the natives for the purpose of cultivation ; not that the whole of this was under culture, at any one time, but that this quantity had been reduced into possession by individual natives. Of this quantity certainly not one-third has been reserved for them ; I believe I might say not one-sixth. And, unfortunately, although it may be that the land which has been selected as native reserves, may be, in quality and position, of fair average

value, it is so selected as to possess, with only one exception, that of Victoria, but little utility for the present purposes of the natives.

"There are, in the immediate vicinity of the harbour of Port Nicholson, about five hundred natives, who are almost absolutely dependent upon the products of their own cultivation for subsistence. The land reserved for them is comparatively useless. They have no beasts of burthen, and no means of transporting produce except in their canoes, or upon their own backs. Consequently, nearly all their cultivation was along the banks of the rivers, and within a very short distance of their settlements. Land, however valuable in itself, if situated at a distance of four or five miles, is useless to them. The majority of these assert, that they have not sold their land, and it has happened, that the only tribe within the district who admit the sale, is also the only tribe whose Pah and potato-grounds have been maintained inviolate. Those who deny the sale, find themselves gradually thrust out of all the land they have been accustomed to cultivate, and which they considered as their own peculiar property. Hardly are they allowed to take out of the soil the crop they have planted; and as soon as the crop is taken out, they are informed that the land is no longer theirs, and that they must go elsewhere.

"It must not be imagined that the land required for the use of the natives could not be reserved without injury to the settlement—no doubt assertions of this nature will be made, and it may even be asserted, that there is an absolute incompatibility between the preservation of the natives in their old modes of life, and the progress and prosperity of English colonization. Nothing can be more unfounded. Out of nearly 10,000 acres of fertile land which have been surveyed and selected in the immediate neighbourhood of Port Nicholson, six hundred would have amply sufficed for the present wants of the natives. Out of 1,100 acres of which the town is composed, only eight are occupied by the native Pahs. Had the land actually occupied, or reclaimed by the natives, been reserved, it would, no doubt, have been rather more than one-tenth in value, though far less than one-tenth in extent, of the land which some of their chiefs nominally added, and which the New Zealand Company now claims, under that cession. But this reserve would have satisfied the natives, and it would have enabled the New Zealand Company to obtain a valid title to their possessions. That such reserves are not made, is absolutely unaccountable.

"As an illustration of the mode in which the native reserves in this district have been selected, I will proceed to describe the general character of the most important, in reference to the various native settlements around the harbour.

"The natives of the Pah Te Aro on the southern shore of what is now termed Lambton Harbour, who were never consulted as to the sale, and not one of whom signed the deed conveying the land to the New Zealand Company, had cultivated from sixty to eighty acres of land on the hills imme-

diately in the rear of their Pah, and had gardens on the space now occupied by the town. Every one of their clearings and gardens, as well as their Pah, has been selected for the purchases under the Company, and they have been required to give up possession. This, however, they have not yet done. There is one section immediately behind their clearings; and there are three others at a distance of about two miles further, which are, however, of little value, except for grazing. They do, nevertheless, possess in the one section in the rear of their present clearings, one valuable section, which, in a year or two, they will probably occupy and cultivate; but it would have been more just and more prudent to secure to them the ground they had actually cleared. The natives of Kumutoto, on the west shore of Lambton Harbour, have been allowed to retain one acre on which part of their Pah stood; but they have not, within all their district, a single acre of country land. The natives of the Pah Pissitea have retained their Pah, because it has been selected as a public reserve, and there are about twenty acres of native reserves within that part of the town which belongs to them; but they have not a single country section. The natives of Tiakiwai have neither Pah nor country land; all has been taken from them. The natives of Kaiwarawam, whose Pah, situated beyond the confines of the town, might have been reserved, without the slightest public inconvenience, have had their Pah, and the whole of their cleared grounds, taken from them. The same course has been pursued with the natives of Ngawranga. The natives of Pitoni, more fortunate than any of their brethren, have had three sections, including their Pah, and the whole, or nearly the whole of their clearings reserved. The natives of Waiwetu have neither Pah nor clearings left them. Two sections have been reserved in our part of the land they claim, which will eventually possess a very considerable value; but, at present, less than a fifth of these reserves is available, the remainder being a swamp. There are also two other sections, out of which perhaps fifteen or twenty acres would be available, and upon which they formerly had some small potato-grounds; but these have been abandoned since the death of their chief Pichakawa, who was murdered there by a hostile tribe, about two years and a half ago. I should qualify my statement with regard to these last, when I said, that all their clearings had been taken away, since the two sections last referred to did contain some clearings. The land thus cleared, however, belonged to the murdered chieftain, and had been utterly abandoned by his family before the selection."

The statement of another emigrant of the first class is perfectly in accordance with the preceding, when he observes: "The New Zealand Company intended well when they desired to set apart a tenth of the land purchased of Government for native reserves, but they committed a fatal error

when they subjected the choice of their reserves to lot. All the land *hitherto* occupied by the natives, either as villages, burial-grounds, and cultivated grounds, should have been reserved inalienably for their use, and the difference between the extent of such grounds and the one-tenth, might have been subject to the ballot, for their use hereafter, in addition to what they at present occupied."

The important subject of the native territorial rights, the annihilation of which is now threatened, is undergoing the investigation of a Commissioner appointed especially for that purpose, by the British Government. Nevertheless, when we consider the difficulties of the question, and the influence of persons whose interests are opposed to those of the natives, it is manifest, that, unless the just claims of the Aborigines of New Zealand be strenuously pleaded for, by the advocates of humanity and justice, there is much reason to fear, that another instance of the abuse of superior intelligence and power, on the part of the white man, in dispossessing his less informed and less powerful brethren of their property and lands, will be added to the already long catalogue of sins which darken the historical page of English colonization. Upon this subject the writer says:—

"There has prevailed in England an extraordinary misconception, with regard to the opinions and practices of the New Zealanders, in relation to the sale of land. It is very true, that immense tracts have been nominally purchased by the agent of the New Zealand Company, and by others, for very trifling and inadequate considerations. It may, however, be doubted, whether the parties by whom the sale was made had any notion, however imperfect, of the sense in which the transaction was understood by the buyers. The utmost which they can be conceived to have understood was, that within certain specified limits, the party purchasing should be allowed to settle, upon the same terms as the members of the tribe owning the land. They might have believed that they were conferring rights of citizenship, so to speak, under which the stranger who reclaimed and cultivated land, might be guaranteed in the enjoyment of the land which he had thus appropriated. Or, as is equally probable, it was regarded as no more than that the chiefs who signed the deed and received the price, conceded to the other contracting party the right of purchasing, from its actual owner, any land which he might desire to obtain for use. At any rate

whatever they did mean, no doubt can be felt, by any person acquainted with their usages, that they did not mean to give to any one the right to drive them from their Pahi; to occupy and appropriate the ground they had cleared and cultivated, and to restrain them from the liberty of using any unoccupied ground, for the purpose of raising the food necessary to their very existence. Abundant evidence can be furnished to prove that this could not have been their intention. And, if it were more doubtful than is actually the case, they would be entitled to the protection of a court of equity, against the consequences of their own ignorance and improvidence; nor could the British Government and legislature, fairly or honourably, affirm a contract founded in misconception, and pregnant with injury.

"The two principal purchases by the New Zealand Company have been that of the harbour and district of Port Nicholson, and that from the chiefs of the Kawia tribe, of all the land within certain limits defined by degrees of latitude. The former is estimated to comprise about one hundred thousand acres, and the latter includes within its boundaries, nearly twenty millions of acres. There is also a purchase of land at Wanganui, and one at Teranaki, both of which are known included in terms, in the limits of the purchase from the Kawia tribe. To the two first purchases, of which alone I am at present competent to speak, there are objections arising; first, from the nature of the contract itself, and secondly, from the manner in which the pledges given to the natives have been carried out. In the first place, the purchase has been made from a few of the principal chiefs only, although there is not a single freeman, or Rangatira, who has not an absolute right to portions of the land, subject to no interference or control, either on the part of individual chiefs, or of the whole body of the tribe. It is asserted by the great majority of the freemen and some of the principal chiefs of the two tribes, from whom these purchases have been made, with what truth I cannot pretend to affirm, that they did not consent to the sale of their own land; nor even to the sale of the unoccupied portions of the territory, which might be regarded as the common property of the tribe.

"The names of very few are attached to the purchase-deeds, and these, without exception, admit that they only signed for themselves. Those who have not signed the deeds, assert that they were no parties to the sale; and of those who did, the majority now pretend that they were not aware of the nature and intention of the documents.

"To confirm the titles of the European settlers would be to deprive the original occupiers of the soil, of land which they have never sold, and without which they can hardly subsist. It will be for the English Government to decide between these conflicting claims. In this place, if any questions arising out of them are to be decided by a jury of Englishmen, there would be but small probability of justice being done to the natives. In whatever manner the difficulty may be solved, there can be but one

opinion as to the impolicy of the proceedings by which this dilemma has been created.

"The originators of the New Zealand Company, framing their plan in England, without other materials upon which to base their opinions, than such as were supplied by books written with far different objects, or were gathered from the description of parties whose attention had never been directed to the peculiar circumstances in the country, upon a full knowledge of which any plan for the benefit of the natives ought to have been founded could only frame a plan in outline, to be filled up on the spot by their agent. That plan proceeded upon two assumptions. Firstly, that all the land within certain extensive districts would be purchased for them ; and, secondly, that the different tribes occupied an extent of land quite disproportioned to their wants, of which the largest portion might be appropriated to the European settlers, without any inconvenience. Both of these assumptions have proved fallacious.

"The New Zealanders never have consented to the sale of all their lands ; and could not, in fact, conceive of such a bargain ; and although the land occupied by many of the tribes is far more extensive than they required ; yet it is only in respect of particular portions that an appropriation of the land to the English settler can be made, without producing great injury to the native.

"With regard to the first point, all the natives of Port Nicholson, I believe without a single exception, agree that many, if not a majority of the landholders in the district, did not consent to the sale of their land to the agent of the New Zealand Company. And they all assert, what, from my observation of the natives here and in other parts, I am quite certain is the case, that every free man has a right to particular pieces of ground, the boundaries of which are as well defined and as rigidly maintained as any estate in the most civilized country. They further agree that no one person however great may be his power, has a right to interfere with, much less to dispose of the property of any freeman without his consent ; and that even the majority of the tribe have, in this respect, no power over the minority, or even over a single dissentient party. According to the customs of the New Zealanders, therefore, the New Zealand Company have no title to the greater portion of the lands which they have professed to sell. And it may be stated with confidence, that nothing short of an Act of Parliament could divest the native proprietor of his title,—nor that without an adequate compensation. The islands of New Zealand, by whatever title they may belong to the British crown, have not been acquired in any manner which would operate to the extinguishment of private right to property, or could enable the crown to grant lands previously occupied under a title, valid according to the recognized customs which are the laws of the country. Not merely, therefore, is the assumption of the New Zealand Company, that they had extinguished the native title to the large tracts nominally included within

their purchases, quite unfounded ; but the defect in their title, resulting from the omission on the part of their agent to complete his purchase, does not seem susceptible of any remedy, short of an act of parliament. And assuredly the legislature of Great Britain will pause, before it takes from five hundred individuals—subjects of the empire, and entitled to all the rights of citizenship, settled in fixed habitations, and cultivating their own lands—the six hundred or seven hundred acres needful to their subsistence.

“ With regard to the second purchase, that from some of the principal chiefs of the Kawia tribe, it is difficult to conceive that any claim can be seriously founded upon it. The deed professes to comprise all the land between the 38th degree of south latitude, on the west coast, and the 43rd degree of south latitude, including the possessions of several independent tribes, as well as all the places occupied by the tribe to which the parties to the deed belonged. To suppose that the persons who signed this deed had any idea of its nature, would be opposed to anything which experience has disclosed with reference to the native character. And with regard to this alleged purchase, the chiefs, who were parties to the contract, have vigorously, and hitherto successfully, resisted every attempt on the part of the purchasers under the Company to settle upon their territories. In Port Nicholson the inconveniences resulting from the pretensions of the New Zealand Company to dispose of land to which they have no valid title, have been mainly felt by the natives. In the neighbouring district of Pararua, alleged to have been purchased from the Kawia tribe, the inconvenience has fallen upon the colonists.”

The attention of the Directors of the Company, in this country, has been called to these points, and it is believed that they have obtained their favourable consideration ; yet much must depend on the Colonial Government, and on the disposition entertained towards the natives by the colonists themselves, points to which those who have friends who have already emigrated to New Zealand, or may be about to do so, would do well to keep their attention alive.

TASMANIA.

It is with feelings of much sorrow that the Committee advert to the Aborigines of Van Dieman's Land. These natives, in 1834, were all (excepting four persons) driven, by order of the Government, from their hunting grounds to Flinder's Island, and we find, by the latest accounts, are now reduced to but a small remnant of fifty-seven persons. This

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interesting class of our fellow-men, a few years since occupying a fine island of one hundred and sixty-five miles from north to south, and one hundred and forty-five from east to west, and amounting in numbers, according to the testimony of Cook, and the French navigators in search of La Perouse, and the abundant testimony of early colonists, to some thousands; and remarkable, it appears, for their shrewdness, natural sagacity, and benevolence, will, in all probability, in the course of a few years, be numbered among the extinct nations. It will then be impossible for the unprejudiced and reflecting mind to study their history without arriving at the conclusion, that a simple but noble-minded race have been consigned to a premature grave, by a nation professing to be guided by the principles of that religion which breathes "peace on earth and good-will to men;" but whose conduct, in reference to these untutored inhabitants of the forest, it is impossible to reconcile with feelings of humanity, or even with principles of justice and sound policy.

THE END.